

NO. PD-0048-20

DAVID ASA VILLARREAL, Appellant	§	IN THE COURT OF	FILED COURT OF CRIMINAL APPEALS 2/25/2020 DEANA WILLIAMSON, CLERK
vs.	§	CRIMINAL APPEALS	
THE STATE OF TEXAS, Appellee	§	AUSTIN, TEXAS	

MOTION FOR EXTENSION OF TIME
TO FILE APPELLANT'S
PETITION FOR DISCRETIONARY REVIEW

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

Now comes, David Asa Villarreal, appellant in the instant cause, by and through undersigned counsel, Edward F. Shaughnessy, and files this Appellant's Motion for Extension of Time to File Petition for Discretionary Review pursuant or Rule 68.2(c), Tex. R. App. Proc. In support of the instant motion the Appellant would show unto this Court the following:

A.

The appellant was charged, by way of an indictment, with the offense of Murder in cause number 2016-CR-0549. The appellant was convicted by a jury of the offense as charged in the indictment in the 186th District Court of Bexar County. The appellant was sentenced by the jury to sixty years of confinement in confinement in the Texas Department of Corrections. An

appeal of that judgment was pursued to the Court of Appeals for the Fourth Court of Appeals District. The appellant's conviction was affirmed in all respects on December 27, 2019. Undersigned counsel represented the appellant in the Court below as court-appointed counsel and has been appointed by the trial court to file a Petition for Discretionary Review on behalf of the appellant. That petition is due to be filed with this Court on or before February 26, 2020. One previous extension of time to file has been granted by this Court. The appellant would respectfully request an extension of time of twenty-five days in which to file the appellant's petition. In support of that request the appellant would show unto the Court the following:

B.

Counsel is in the process of compiling a brief on behalf of the appellee in Paul D. Robbins v. The State of Texas, Cause No. 13-18-00349-CR; Aaron Terry v. The State of Texas, Cause Nos. 13-19-00450-CR & 13-19-00451-CR; and Emily Peterson v. The State of Texas, Cause No. 13-19-00426-CR.

C.

Counsel resolved the following capital murder case: The State of Texas v. Ashton Lomas, Cause number, 2017-CR-5150-A, in the 379th District Court of Bexar County. In addition the undersigned recently resolved the following murder case: The State of Texas v. Joshua Campbell, Cause number 2019-CR-6848 also in the 379th District Court of Bexar County.

D.

In addition the undersigned serves as a part-time Criminal law Magistrate for the District Courts of Bexar County. Counsel has recently served and continues to serve in that capacity. The undersigned will be out of the State from February 23 through February 26, 2010.

E.

Lastly the undersigned recently was the “victim” of a water leak in the ceiling of his residence. That unforeseen event resulted in the need to have carpet and drywall removed from the home and replacements installed which necessitated the undersigned missing work for purposes of remaining at his residence. In addition the “hydraulic event” described above put the

undersigned's home computer and printer out of commission until recently.

That situation is close to being rectified but is not completely resolved.

PRAYER FOR RELIEF

Wherefore premises considered, the appellant would request that this Court grant the appellee an additional twenty-five (25) days in which to file a Petition for Discretionary Review in the instant case.

Respectfully submitted,

/S/E. F. Shaughnessy
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CERTIFICATE OF SERVICE

I, Edward F. Shaughnessy, hereby certify that a copy of the instant motion was served upon Andrew Warthen, attorney for the appellee, by mailing the motion to 101 W. Nueva, San Antonio , Texas 78205 on this the _21st_ day of February, 2020.

/S/ E.F. Shaughnessy
Edward F. Shaughnessy, III
Attorney for the Appellant